

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOMELL THOMAS,

23-cv-10481 (JGK)

Plaintiff,

ORDER

- against -

DISCOVER BANK, ET AL.,

Defendants.

JOHN G. KOELTL, District Judge:

It having been reported to this Court that the plaintiff and the defendant Discover Bank ("Discover") have reached a settlement of the action against Discover, it is hereby ordered that this matter be discontinued as to Discover with prejudice but without costs; provided, however, that within 45 days of the date of this order, counsel for the plaintiff may apply by letter for restoration of the action against Discover to the calendar of the undersigned, in which event the action will be restored.

Any application to reopen must be filed within forty-five (45) days of this order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the plaintiff and Discover wish for the Court to retain jurisdiction for the purpose of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the same 45-day period to be so-ordered by the Court. Unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

All conferences and deadlines as to Discover are adjourned sine die. The Clerk of Court is directed to terminate Discover as a defendant in this action. The Clerk of Court is also directed to close this case and to close all pending motions.

SO ORDERED.

Dated: New York, New York
March 18, 2024


John G. Koeltl
United States District Judge